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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,369	07/10/2003	Steven McCanne	019599-000320US	6737

7590   06/19/2007

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EXAMINER
CLOUD, JOIYA M

ART UNIT	PAPER NUMBER
2144	

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06/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/618,369	MCCANNE ET AL.
	Examiner	Art Unit	
	Joiya M. Cloud	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>28 March 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>16-36</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>16-36</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>3/20/2007</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some * c) ☐ None of:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date <u>07/10/2003</u>.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications 03/20/2007. Claims 16-36 are presented for

examination. Claims 6-15 have been cancelled.

2.   Applicant's arguments and amendments filed 03/20/2007 have been carefully considered

but they are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the

following new grounds of rejection as explained here below, necessitated by Applicant's

substantial amendment (i.e., *"wherein each entry identifies a source that published the entry"*

and *"wherein the query specifies matching criteria"* and *"logic that is operable to disseminate*

one or more entities that satisfy the matching criteria") to the claims which significantly affected

the scope thereof.

3.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a whole
> would have been obvious at the time the invention was made to a person having ordinary
> skill in the art to which said subject matter pertains. Patentability shall not be negatived
> by the manner in which the invention was made.

5.   **Claims 16-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al.

(U.S. Patent No. 5,517,494) in view of Schultz **(U.S. Patent No. 5,640553, hereinafter**

Schultz)

As per claim 16, Green discloses the invention substantially as claimed. Green discloses

a processing agent for processing data at a node in a data network, wherein the data network

connects a plurality of nodes and at least a portion of the plurality of the nodes form a multicast

group the processing agent comprising: a data store that is operable to store a plurality of entries

associated with the multicast group; and logic that is operable to disseminate the plurality of

entries to members of the multicast group **(Abstract, col. 1, lines 6-16, col. 3, lines 13-22,**

Figure 4b, network route table storing the data, where Green teaches a method for

efficiently delivering and thus routing multicast packets to a multicast group).

However, Green does not explicitly teach wherein each entry identifies a source that

published the entry.

Schultz teaches wherein each entry identifies a source that published the entry. **(col. 37,**

lines 26-41)

Accordingly, it would have been obvious to one of ordinary skill in the networking art at

the time the invention was made to have incorporate Green's teachings to the teachings of

Schultz, for the purpose of providing a means to identify the source of entries in a table.

Furthermore, to determine the relevance of selected information if matched according to a query

or request **(Abstract, col. 37, lines 26-41).**

As per claim 17, Green-Schultz teaches logic that is operable to receive, from a node that is not a member of the multicast group, a request to run a query, wherein the query specifies matching criteria; logic that is operable to run the query against the entries in the data store; and logic that is operable to disseminate one or more entries that satisfy the matching criteria to the node that is not a member of the multicast group **(col. 3, lines 65-67-col. 4, lines 1-5, col. 5, lines 55-60 and col. 6, lines 55-67)**.

Green does not explicitly teach wherein the query specifies matching criteria

Schultz teaches wherein the query specifies matching criteria **(col. 37, lines 9-16)**

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporate Green's teachings to the teachings of Schultz, for the purpose of transmitting appropriate data to a requesting node **(col. 6, lines 15-20)**.

As per claim 18, Green- Schultz teaches a processing agent further comprising logic that is operable to add a first entry to the plurality of entries in the data store in response to a request from a first node to add the first entry **(Green: col. 10, lines 55-60)**.

As per claim 19, Green- Schultz teaches a processing agent wherein the logic that is operable to disseminate is further operable to automatically disseminate the first entry to the plurality of the nodes that form the multicast group in response to the request from the first node to add the first entry to the plurality of entries **(Green: col. 9, lines 22-33)**.

As per claim 20, Green- Schultz teaches a processing agent further comprising logic that deletes a first entry of the plurality of entries in the data store in response to a request from a first

node to relinquish the first entry **(Green: col. 11, lines 20-26, col. 11, lines 40-65 and col. 12, lines 6-21)**.

As per claim 21, Green- Schultz teaches a processing agent further comprising logic that is operable to indicate, to the plurality of the nodes that form the multicast group, that the first entry has been relinquished, wherein the indication is in response to the request from the first node to relinquish the first entry **(Green: col. 11, lines 20-26, col. 11, lines 40-65 and col. 12, lines 6-21)**.

As per claim 22, Green- Schultz teaches a processing agent wherein the source that published the entry is not a member of the multicast group **(Green: col. 13, lines 48-63 and col. 11, lines 40-59)**.

As per claim 23, Green-Schultz teaches a processing agent wherein the source that published the entry is a member of the multicast group **(Green: col. 13, lines 48-63)**.

As per claim 24, Green- Schultz teaches a processing agent wherein each entry is associated with a priority that specifies its delivery priority relative to other entries **(col. 3, lines 45-56 and col. 16, lines 9-15)**.

As per claim 25, Green- Schultz teaches a processing agent further comprising logic to indicate that the processing agent has been designated as a rendezvous node in the multicast group, wherein designation as the rendezvous node indicates that the processing agent is to disseminate the plurality of entries to members of the multicast group **(Green: col. 10, lines 40-51, the designated node)**.

As per claim 26, is substantially the same as claim 1 and is thus rejected using similar rationale.

As per claim 27-34, claims 27-35 lists all the same elements of claims 17-24, but in method form rather than apparatus form. Therefore, the supporting rationale of the rejection to claims 17-24 applies equally as well to claims 27-35. Furthermore regarding, asynchronously notifying the particular node of a modification to a first entry; wherein the asynchronously notifying the particular node is performed in response to the source that published the first entry modifying the first entry **(Figure 2, col. 3, lines 55-67)**.

As per claim 36, claim 36 is substantially the same as claim 1 and is thus rejected for reasons similar to those in rejecting claim 1.

Response to Arguments

Applicant's arguments include the failure of previously applied art to expressly disclose *"wherein each entry identifies a source that published the entry"* and *"wherein the query specifies matching criteria"* and *"logic that is operable to disseminate one or more entities that satisfy the matching criteria")*. It is evident from the detailed mappings found in the above rejection(s) that Green in view of Schultz disclosed this functionality *"wherein each entry identifies a source that published the entry"* and *"wherein the query specifies matching criteria"* and *"logic that is operable to disseminate one or more entities that satisfy the matching criteria")*. Further, it is clear from the numerous teachings (previously and currently cited) that the provision for the limitation was widely implemented in the networking art. Thus, Applicant's arguments drawn towards distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The

examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-3922.   Information

regarding the status of an application may be obtained from the Patent Application Information

Retrieval (PAIR) system. Status information for published applications may be obtained from

either Private PAIR or Public PAIR. Status information for unpublished applications is available

through Private PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

William J. Vaughn

Supervisory Patent Examiner   **June 5, 2007**

Response to Arguments

Applicant's arguments include the failure of previously applied art to expressly disclose

"wherein each entry identifies a source that published the entry" and *"wherein the query*

specifies matching criteria" and *"logic that is operable to disseminate one or more entities that*

satisfy the matching criteria "). It is evident from the detailed mappings found in the above

rejection(s) that X disclosed this functionality *"wherein each entry identifies a source that*

published the entry" and "wherein the query specifies matching criteria" and "logic that is

operable to disseminate one or more entities that satisfy the matching criteria "). Further, it is

clear from the numerous teachings (previously and currently cited) that the provision for the

limitation was widely implemented in the networking art. Thus, Applicant's arguments drawn

towards distinction of the claimed invention and the prior art teachings on this point are not

considered persuasive.

CONCLUSION

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The

examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

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Electronic Business Center (EBC) at 866-217-9197 (toll-free).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time
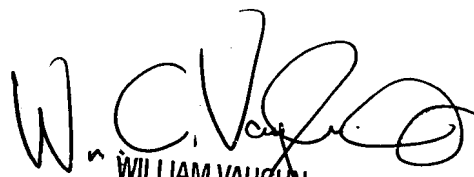
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from

the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the

mailing date of this final action and the advisory action is not mailed until after the end of the

THREE-MONTH shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be

calculated from the mailing date of the advisory action. In no event, however, will the statutory

period for reply expire later than SIX MONTHS from the mailing date of this final action.

JMC

William J. Vaughn

Supervisory Patent Examiner   **May 30, 2007**

WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100